

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES REILLY, #184122,

Plaintiff,

Civil Case Number: 2:19-11249  
Honorable Linda V. Parker

v.

COLLEEN SPENCER, ET AL.,<sup>1</sup>

Defendants.

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**OPINION AND ORDER GRANTING PLAINTIFF'S REQUEST TO  
AMEND COMPLAINT AND DIRECTING PLAINTIFF TO FILE SINGLE  
AMENDED COMPLAINT WITHIN TWENTY-ONE DAYS**

Plaintiff, a pretrial detainee in the St. Clair County Jail, filed this pro se civil rights complaint on April 30, 2019. On June 20, 2019, this Court entered an opinion and order partially dismissing some of the named defendants as parties and some of Plaintiff's claims. (ECF No. 7.) On the same date, Plaintiff filed a request to amend her complaint, which also appears to be the amended pleading she wants "to proceed along with the Original Complaint." (ECF No. 8.)

Federal Rule of Civil Procedure 15(a)(1)(A) provides that a party may amend a pleading once as a matter of course if the opposing party has not been

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<sup>1</sup> The first named defendant in Plaintiff's initial complaint was Tim Donnellon, however, the Court dismissed him as a party on June 20, 2019. The Court, therefore, is using the next listed defendant remaining in the action for the case caption.

served with a responsive pleading. In this case, none of the defendants have filed a pleading responsive to Plaintiff's Complaint. Therefore, she may amend her Complaint without this Court's permission and the Court is granting her request to do so.

However, **within twenty-one (21) days of this Opinion and Order**, Plaintiff must file a single complaint that complies with Rule 8(a) of the Federal Rules of Civil Procedure, such as by identifying the defendants being sued, the claims Plaintiff is asserting, and the facts supporting those claims. Moreover, that complaint must list in the caption each individual, by name, who Plaintiff is suing. Plaintiff shall not include individuals or claims in her amended complaint previously dismissed by the Court in its June 20, 2019 opinion and order, unless Plaintiff cures the defects with respect to those defendants/claims which are identified in that decision.

**IT IS SO ORDERED.**

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: June 26, 2019

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, June 26, 2019, by electronic and/or U.S. First Class mail.

s/ K. MacKay  
Case Manager